

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#10

In re application of: Ruppert et al.

Art Unit: 3611

Serial No.: 09/781,795

Examiner: Vanaman, F.

Filed: February 12, 2001

For: LOW FLOOR DRIVE UNIT ASSEMBLY FOR AN  
ELECTRICALLY DRIVEN VEHICLE

Docket No.: 60,130-1004 (96AUT013)

*Terminal  
(APP)  
Disclaimer  
4-5-02  
R03*

**TERMINAL DISCLAIMER TO OBVIATE  
OBVIOUSNESS-DOUBLE PATENTING REJECTIONS**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

The owner, Rockwell Heavy Vehicle Systems, Inc., of 100 percent interest in the instant application, hereby disclaims the terminal part of the statutory term of any patent granted on the above identified application which would extend beyond the expiration of the full statutory term, as presently shortened by any terminal disclaimer of U.S. Patent No. 6,276,474. The owner hereby agrees that any patents granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,276,474. This agreement is to run with any patent granted on the above-identified application, and to be binding upon the grantor, its successors or assignees. The owner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of U.S. Patent No. 6,276,474 as presently shortened by any terminal disclaimer in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims cancelled by a re-examination

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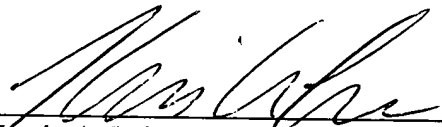
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certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

I hereby declare that all statements made herein of my own knowledge are true and that all statement made on information and beliefs are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, and that such willful false statements may jeopardize the validity of the application of any patent issued thereon. The undersigned is the attorney of record.

Respectfully submitted,

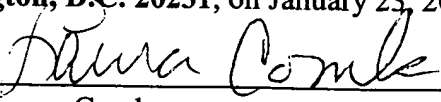
**CARLSON, GASKEY & OLDS, P.C.**

  
Kerrie A. Laba, Registration No. 42,777  
400 W. Maple Road, Ste. 350  
Birmingham, MI 48009  
(248) 988-8360

Date: January 23, 2002

**CERTIFICATE OF MAILING**

I hereby certify that the enclosed **Terminal Disclaimer** is being deposited with the United States Postal Service as first-class mail, postage prepaid, in an envelope addressed to the **Assistant Commissioner for Patents, Washington, D.C. 20231**, on January 23, 2002.

  
Laura Combs

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For the reasons set forth above, all claims should be allowed. An indication of such is requested. We enclose a check to cover the costs of additional dependent claims. If additional fees are required the Commissioner is authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds for any additional fees or credit the account for any overpayment.

Respectfully submitted,

CARLSON, GASKEY & OLDS

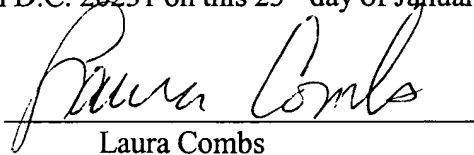


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400 W. Maple Road, Ste. 350  
Birmingham, MI 48009  
(248) 988-8360

Dated: January 23, 2002

**CERTIFICATE OF MAIL**

I hereby certify that the enclosed Amendment is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Assistant Commissioner of Patents, Washington D.C. 20231 on this 23<sup>rd</sup> day of January, 2002.



Laura Combs



3611

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**RECEIVED**

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**GROUP 3600**

Assistant Commissioner for Patents  
Washington, D.C. 20231

**AMENDMENT**

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